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11 *Kim Adamson, Romeo Aranas, Veronica Austin, Renee Baker,
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Jeffrey Chandler, Nichole Cordova, James "Greg" Cox, Scott Davis,
Russell Donnelly, James Dzurenda, Arwen Feather, Gilberto Florio-Ramirez,
Sheryl Foster, Tim Garrett, Coralee Gorsline, Desiree Hultenschmidt,
William Kablitz, Alan Lima, Dominick Martucci, E.K. McDaniel,
Valaree Olivas, William Sandie, Richard Snyder, James Stogner,
Roger Terance, Kim Thomas, Joy Walsh, Harold Wickham and Catherine Yup*

12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

14 JOSEPH M. ANDERSON,

15 Plaintiff,

16 v.

17 JAMES DZURENDA, et al.,

18 Defendants.

Case No. 3:18-cv-00426-MMD-CBC

**MOTION FOR EXTENSION OF TIME TO
FILE A REPLY TO PLAINTIFF'S
OPPOSITION TO DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT (ECF NO. 219)**

19 Defendants, Kim Adamson, Romeo Aranas, Veronica Austin, Renee Baker, Susan Baros,
20 Francisco Bautista, Dwayne Baze, Quentin Byrne, David Carpenter, Tara Carpenter, Ian Carr, Anthony
21 Carrasco, Jeffrey Chandler, Nichole Cordova, James "Greg" Cox, Scott Davis, Russell Donnelly, James
22 Dzurenda, Arwen Feather, Gilberto Florio-Ramirez, Sheryl Foster, Tim Garrett, Coralee Gorsline,
23 Desiree Hultenschmidt, William Kablitz, Alan Lima, Dominick Martucci, E. K. McDaniel, Valaree
24 Olivas, William Sandie, Richard Snyder, James Stogner, Roger Terance, Kim Thomas, Joy Walsh,
25 Harold Wickham and Catherine Yup, by and through counsel, Aaron D. Ford, Attorney General of the
26 State of Nevada, and Douglas R. Rands, Senior Deputy Attorney General, hereby move this Court for an
27 extension of time file a Reply to Plaintiff's Opposition to Defendants' Motion for Summary Judgment
28 (ECF No. 219). This Motion is made and based upon Federal Rule of Civil Procedure 6(b)(1)(A), the

1 attached Points and Authorities, the papers and pleadings on file herein, and such other and further
 2 information as this Court may deem appropriate.

3 **MEMORANDUM OF POINTS AND AUTHORITIES**

4 **I. ARGUMENT**

5 Defendants respectfully request an extension of time out from the current deadline (February 9,
 6 2021) to respond to Plaintiff's Opposition to Defendants' Motion for Summary Judgment in this case.
 7 As the Court is aware, there has been a significant amount of discovery in this case. Counsel for the
 8 Defendants filed a Motion for Summary Judgment on November 16, 2020. (ECF No. 208). Plaintiff
 9 filed a Motion for Extension of Time to File his Opposition on November 24, 2020. (ECF No. 213). It
 10 was not opposed by Defendants. The Court granted his Motion and gave him until January 28, 2021 to
 11 file his Opposition. (ECF No. 214). Plaintiff also filed a Motion to Exceed Page Limits (ECF No. 215)
 12 which was granted. (ECF No. 216). Plaintiff filed his Opposition on January 27, 2021. (ECF No. 219).
 13 Plaintiff's Opposition is 995 pages, with 46 exhibits. Due to the sheer volume of the documents,
 14 Defendants request an additional 30 days to respond to Plaintiff's opposition.

15 Plaintiff's Opposition is 995 pages long. Responding to the Opposition will take a
 16 considerable amount of time and energy. Also, the week before this reply Counsel was
 17 working on several motions, including a Motion for Summary Judgment in the case of *Burns*
 18 v *Davis* Case No. 2:19-cv-00218-RFB-BNW. This made the response to this Opposition more
 19 difficult. Therefore, the Defendants request an additional 30 days, or until **March 9, 2021** to
 20 respond to Plaintiff's Opposition.

21 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as follows:

22 When an act may or must be done within a specified time, the court may,
 23 for good cause, extend the time: (A) with or without motion or notice if
 24 the court acts, or if a request is made, before the original time or its
 extension expires; or (B) on motion made after the time has expired if the
 party failed to act because of excusable neglect.

25 Defendants' request is timely and will not hinder or prejudice Plaintiff's case, but will allow for
 26 a thorough opportunity to review the case through the Summary Judgment process. The requested
 27 extension of time should permit the Defendants to review Plaintiff's Opposition in its entirety and file a
 28 proper Reply to the Opposition to their Motion for Summary Judgment in this case. As the Court is

1 aware, there are medical and religious counts against over 42 different Defendants in this action. Trial
2 in this matter will be unwieldy at best. If certain claims and parties are dismissed through Summary
3 Judgment, the Court's resources will be preserved.

4 Plaintiff is not prejudiced by the delay. Defendants assert that the requisite good cause is
5 present to warrant the requested extension of time. Plaintiff also received an extension of time, that was
6 unopposed. Good cause appearing, the Defendants request an extension, until **March 9, 2021**, to file
7 their Reply to Plaintiff's Opposition to Defendants Motion for Summary Judgment (ECF No. 219).

8 DATED this 8th day of February, 2021.

9 AARON D. FORD
10 Attorney General

11 By: /s/ Douglas R. Rands
12 DOUGLAS R. RANDS, Bar No. 3572
13 Senior Deputy Attorney General

14 IT IS SO ORDERED.

15 Dated: February 10, 2021

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17 _____
18 UNITED STATES MAGISTRATE JUDGE
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CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 8th day of February, 2021, I caused to be served a copy of the foregoing, **MOTION FOR EXTENSION OF TIME TO FILE A REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT (ECF NO. 219)**, by U.S. District Court CM/ECF Electronic Filing to:

Joseph Anderson #62253
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/s/ Roberta W. Bibee
An employee of the
Office of the Attorney General